

# Notice of Allowability

Application No.

10/651,997

Examiner

Christopher M. Kalivoda

Applicant(s)

SAKAIRI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received June 21, 2004.
2. ☒ The allowed claim(s) is/are 1,2 and 5-7.
3. ☒ The drawings filed on 02 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/663,796.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **Allowable Subject Matter**

1. Claims 1, 2 and 5-7 are allowed.

2. The following is an examiner's statement of reasons for allowance: Regarding independent claim 1, arguments are persuasive. A review of prior art failed to make obvious, disclose or fairly suggest a measuring system comprising a means for restricting signal strength with respect to a mass number of NO<sub>3</sub><sup>-</sup> generated by a negative corona discharge by restricting NO<sub>3</sub><sup>-</sup> generating reaction by reaction of O<sub>2</sub><sup>-</sup> and NO for measuring a fine component in a sample gas selected from the group of chlorophenols, dioxins, chlorobenzenes, hydrocarbons, nitro compounds as a precursor of the dioxins in addition to the accompanying features of the claim.

Regarding independent claim 2, arguments are persuasive. A review of prior art failed to make obvious, disclose or fairly suggest a measuring system comprising a means for measuring a signal strength of dichlorophenol with respect to a mass number of NO<sub>3</sub><sup>-</sup> generated as intermediate by O<sub>2</sub><sup>-</sup> by restricting the signal strength to be smaller than that of dichlorophenol in addition to the accompanying features of the claim.

Regarding independent claims 5 and 6, a review of prior art failed to make obvious, disclose or fairly suggest an explosive detector comprising a second opening portion for supplying a sample gas being located so that an angle formed by a direction connecting the first opening portion and a tip end of the needle electrode and a direction

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connecting a center of the second opening and the tip end of the needle electrode are less than or equal to 90 degrees in addition to the accompanying features of the claim.

Claim 7 is allowed by virtue of their dependence upon claim 6.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,483,108 to Sakairi describes a measuring system with a chamber with a needle electrode for ionizing a sample gas by coronal discharge.

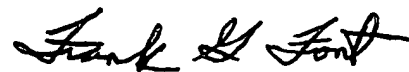
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Kalivoda whose telephone number is (571) 272-2476. The examiner can normally be reached on Monday - Friday (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Frank G. Font  
Supervisory Patent Examiner  
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